

Staff Summary Report



Hearing Officer Hearing Date: May 20, 2008

Agenda Item Number: 13

SUBJECT: This is a public hearing for a request by **WHOLE FOODS MARKET (PL080145)** located at 5120 South Rural Road for one (1) use permit.

DOCUMENT NAME: 20080520dsac03

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold a public hearing for a request by **COLLEGE PARK SHOPPING CENTER - WHOLE FOODS MARKET (PL080145)** (Rafael Buerba/KDRA Associates, applicant; Whole Foods Market, property owner) located at 5120 South Rural Road in the PCC-1, Planned Commercial Center Neighborhood District for:

ZUP08075 Use permit to allow outdoor storage.

PREPARED BY: Alan Como, Planner II (480-350-8439)

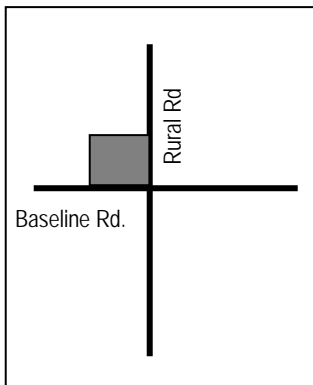
REVIEWED BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359) *SEA*

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval subject to Conditions 1-2

ADDITIONAL INFO: The applicant is requesting a use permit to allow outdoor storage for Whole Foods Market located at 5120 South Rural Road in the PCC-1, Planned Commercial Center Neighborhood District. Whole Foods plans to locate this storage to the rear of their building. Staff supports the request for a use permit. To date no public input has been received.



PAGES:

1. List of Attachments
2. Comments
3. Reasons for Approval; Conditions of Approval; History & Facts/Description; Zoning & Development Code Reference

ATTACHMENTS:

1. Location Map(s)
2. Aerial Photo(s)
3. Letter of Intent
4. Site plan
5. Enlarged Plan
6. Elevation
- 7-8. Staff Photograph(s)

COMMENTS:

The applicant is requesting a use permit to allow outdoor storage for Whole Foods Market located at 5120 South Rural Road in the PCC-1, Planned Commercial Center Neighborhood District. Whole Foods is a grocery store, and the main anchor tenant for this shopping center. To the west (rear) of the center is an R1-6 residential neighborhood; homes in that neighborhood back to the rear of the Whole Foods store. Whole Foods plans to locate this storage to the rear of their building, and plans to use this storage space for wire racks, extra shelving, wooden pallets, and temporary seasonal displays. The storage space will be screened with a proposed nine foot (9') high CMU block wall, which replaces the existing chain link fence located at the rear of the building; this will require Development Plan Review and approval from the Planning Department.

Staff supports the request for a use permit. To date no public input has been received.

Use Permit

The Zoning and Development Code requires a use permit for outdoor storage in the PCC-1, Planned Commercial Center Neighborhood District.

Evaluating the use permit, the proposal appears to pass the use permit test listed below:

- a. Any significant increase in vehicular or pedestrian traffic in adjacent areas;
 - There will be no significant increase in vehicular or pedestrian traffic in adjacent areas. The storage of materials in the rear of the building will not generate any additional vehicle traffic.
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
 - This use should not create any nuisances. If approved, the subsequent Development Plan Review proposal to replace the existing chain link fence with a CMU block wall will help to mitigate any potential noise from the use of the storage area.
- c. Contribution to the deterioration of the neighborhood or to the downgrading of property values which is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the City's adopted plans, or General Plan;
 - The proposed development would not contribute to neighborhood deterioration or downgrade property values. This use permit request is consistent with the General Plan 2030's Land Use Element. The requested use permit will not be detrimental to the surrounding area, but will further the General Plan Land Use Element Goals and Strategies. The current loading dock area and storage area is screened with a chain link fence. If approved, this use permit would result in a Development Plan Review submittal to remove the chain link fence and erect a CMU block wall; thus fully screening the storage area from the residential neighborhood.
- d. Compatibility with existing surrounding structures and uses;
 - The proposed use appears to be compatible with surrounding uses.

Conclusion

Staff recommends approval of the request, subject to conditions.

**REASON(S) FOR
APPROVAL:**

1. There will be no significant increase in vehicular or pedestrian traffic in adjacent areas. The storage of materials in the rear of the building will not generate any additional vehicle traffic.
2. This use should not create any nuisances.
3. The proposed development would not contribute to neighborhood deterioration or downgrade property values. This use permit request is consistent with the General Plan 2030's Land Use Element. The requested use permit will not be detrimental to the surrounding area, but will further the General Plan Land Use Element Goals and Strategies.
4. The proposed use appears to be compatible with surrounding uses.

SHOULD THE HEARING OFFICER ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE FOLLOWING CONDITIONS OF APPROVAL SHOULD APPLY.

**CONDITION(S)
OF APPROVAL:**

1. Screen wall will require Development Plan Review processing and approval. Plans must be submitted and approved prior to construction.
2. Obtain all necessary clearances from the Building Safety Division.

HISTORY & FACTS:

December 6, 2007

CM071601: Vehicle stored at the rear of building

January 15, 2008

CM080051: Fence installed without a permit

DESCRIPTION:

Owner – Whole Foods Market
Applicant – Rafael Buerba/KDRA Associates
Existing Zoning – PCC-1, Planned Commercial Center Neighborhood District
Parcel Size – 6.17 acres
Store Area – 31,800 s.f.
Storage Area – 1,070 s.f.
Total Parking Provided – 282 spaces (Shared Parking agreement)
Parking Required for Whole Foods – 106 spaces

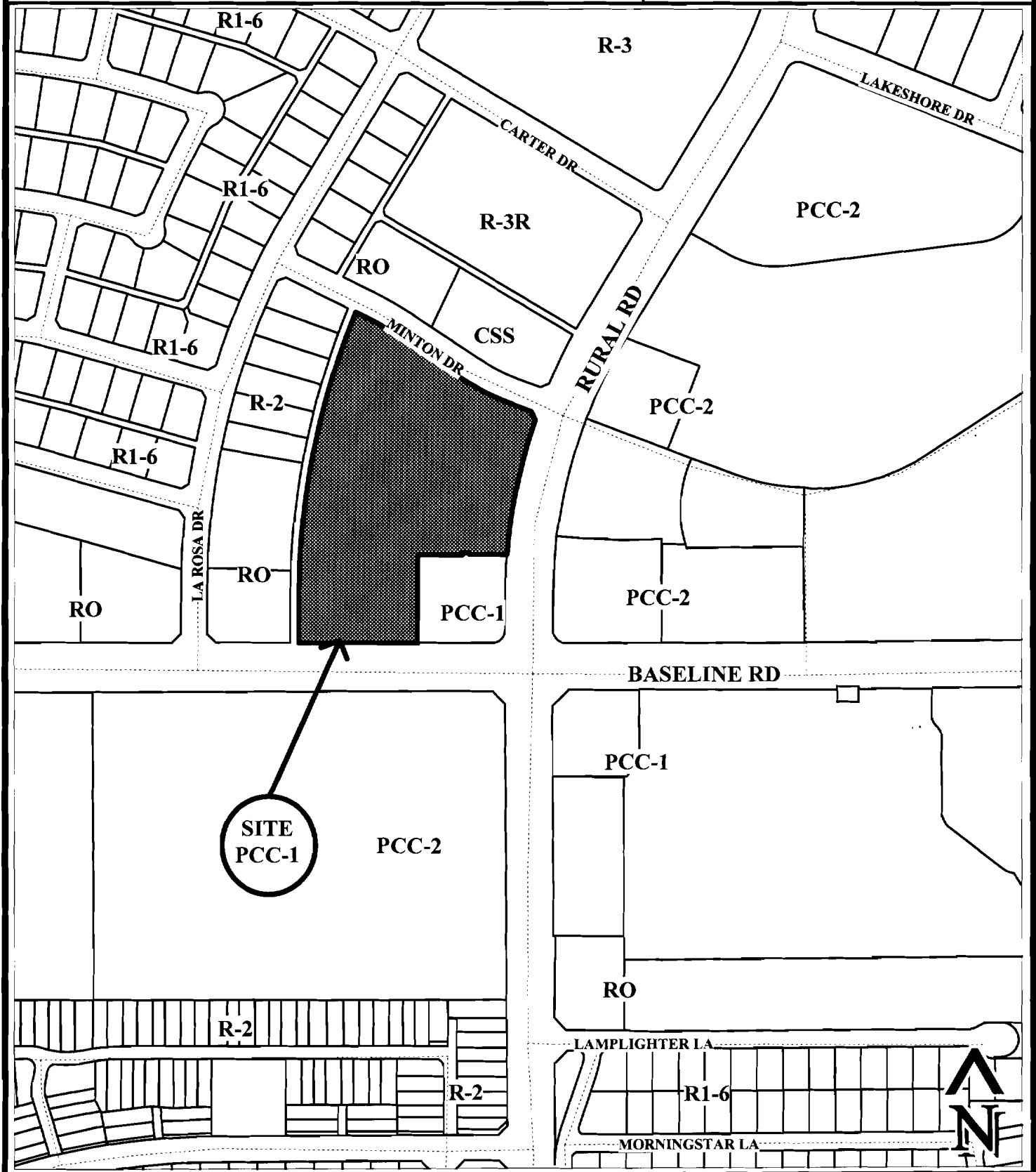
**ZONING AND
DEVELOPMENT**

CODE REFERENCE:

Part 6, Chapter 3, Section 6-308 – Use Permit

COLLEGE PARK SHOPPING CENTER WHOLE FOODS MARKET

PL080145





COLLEGE PARK SHOPPING CENTER- WHOLE FOODS MARKET (PL080145)



Architecture & Engineering

April 30, 2008

City of Tempe
31 East Fifth Street,
Tempe, AZ 85281

Attn:
Alan Como
Planner II

Dear Alan,

Letter of explanation for the use permit (revised):

For outdoor storage of: Wire racks, extra wood pallets, temporary seasonal promo displays, extra gondolas and shelving systems.

In PPC -1 at existing Whole Foods Market.

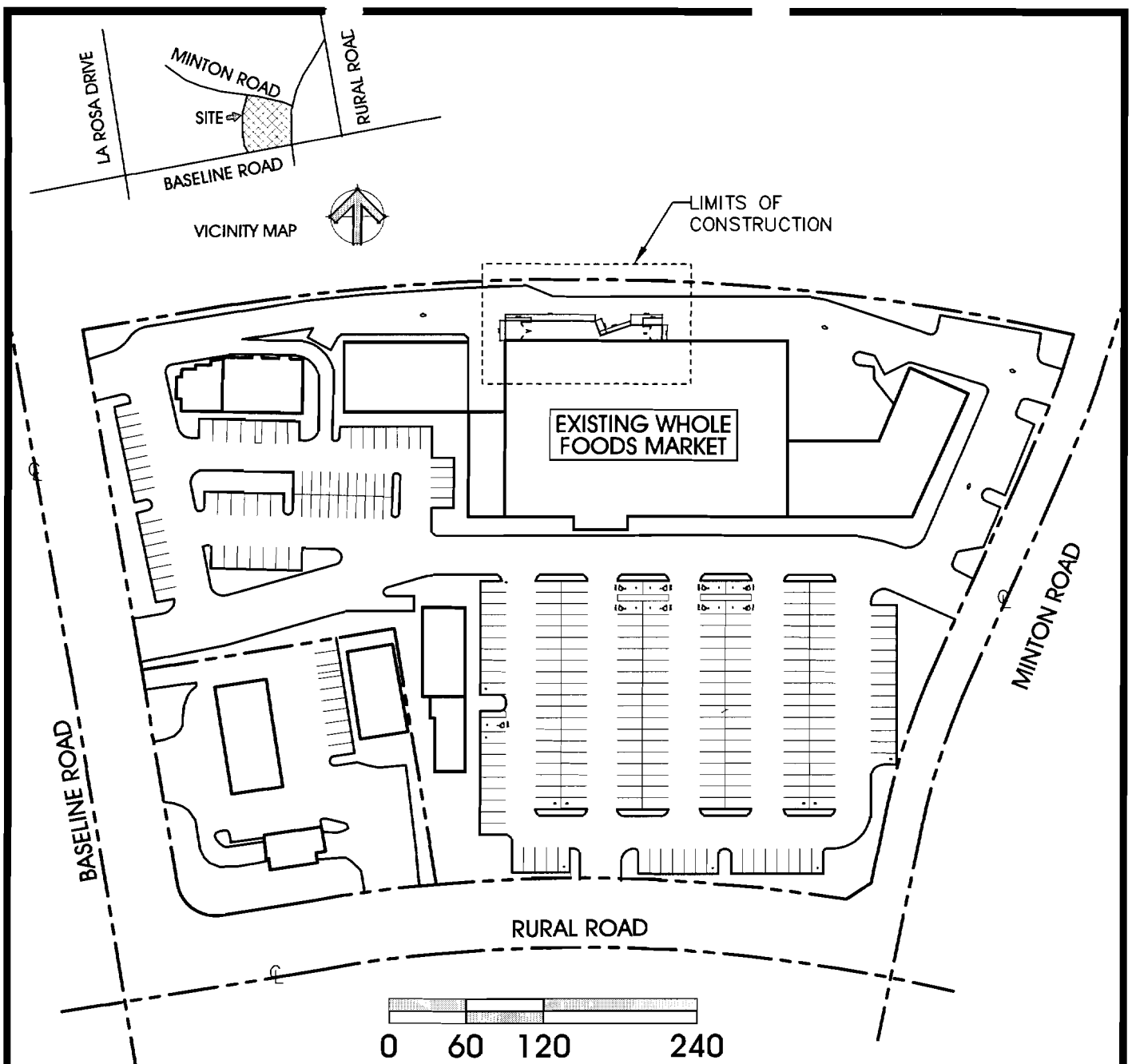
Scope of work:

Replace existing chain link fence at exterior receiving area, with a new 9'-0" high (above finish floor) CMU screen wall with painted western one coat stucco system to match existing Shopping Center and new (2) two 8'-8" high galvanized metal deck gates painted to match existing shopping center for outdoor storage at existing (Whole Foods market) grocery store, with 9:00 am to 9:00 p.m. hours of operation, with 100 employees, +/- 400 customers average.

- a. To replace existing chain link fence with new screen wall not cause any significant vehicular or pedestrian traffic in adjacent areas
- b. To replace existing chain link fence with new screen wall not cause any nuisance (odor, dust, gas vibration, smoke, health or glare, etc) that of ambient conditions, and
- c. Not contribute to the deterioration of the neighborhood or be in conflict with the goals, objectives and policies of the City and.
- d. Be compatible with exiting surrounding structures, and
- e. Not result in any disruptive behavior which may create a nuisance to surrounding area or general public.

Sincerely

Rafael Buerba, PM



COLLEGE PARK SHOPPING CENTER MASTER SITE PLAN

SCALE: 1" = 120'-0"

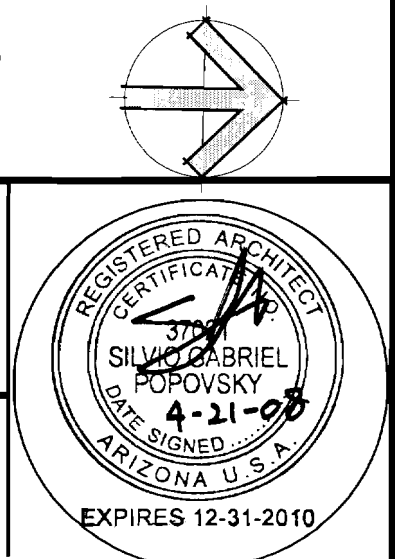


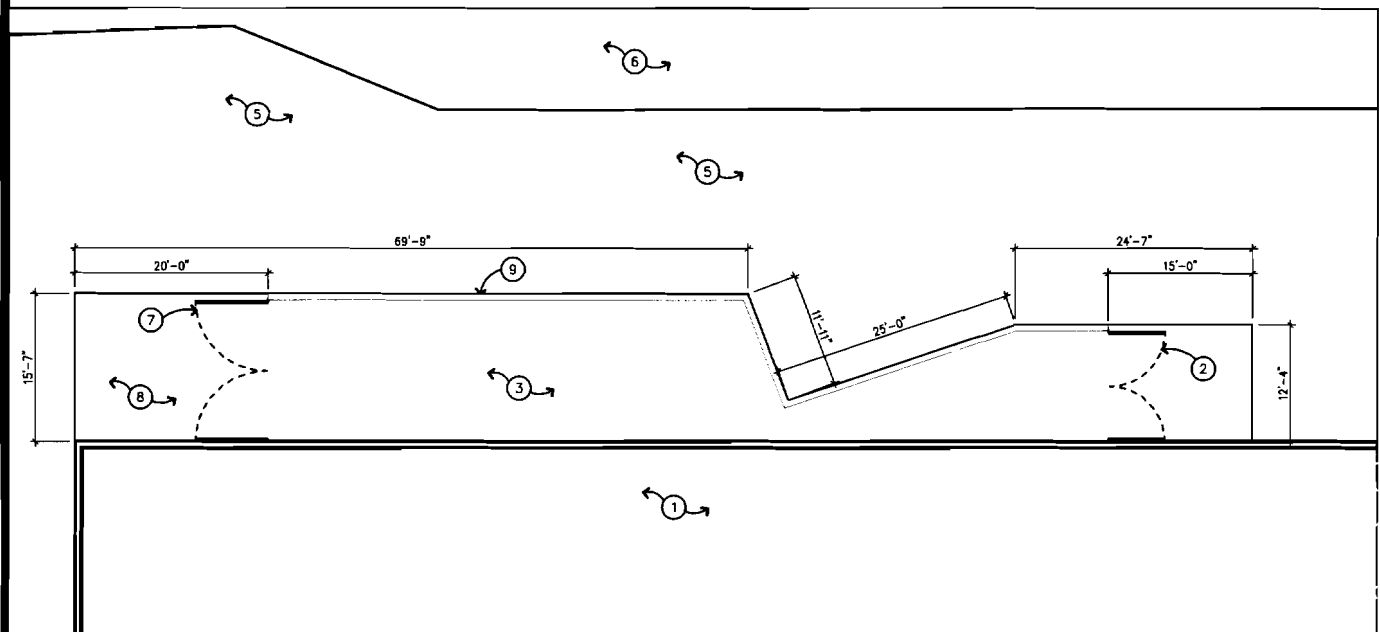
WHOLE FOODS MARKET
5120 SOUTH RURAL ROAD
TEMPE, AZ. 85282

Project No: 082920
Date: 17 MAR 08 Sheet No:
Drawn: R.B. SK-1
Checked: K.D.R.

KURT D. REED ASSOCIATES, INC.

7400 EAST McDONALD DRIVE. • SUITE 101 • SCOTTSDALE, AZ. 85250
Phone: (480) 941-1440 Fax: (480) 948-1055 www.kdra.com





ENLARGED PLAN

SCALE: 1" = 20'-0"

KEYED NOTES:

1. EXISTING WHOLE FOODS MARKET
2. EXISTING OUT DOOR RECEIVED AREA TO REMAIN
3. EXISTING OUT DOOR STORAGE
4. NEW 9'-0" A.F.F. C.M.U. WALL WITH WESTERN ONE-KOTE STUCCO SYSTEM PAINTED TO MATCH EXISTING BUILDING
5. EXISTING ASPHALT PAVEMENT TO REMAIN
6. EXISTING LANDSCAPE AREA TO REMAIN
7. NEW 9'-0 HIGH GALVANIZED METAL DECK. TACK WELD TO FRAME. PAINT TO MATCH ADJACENT C.M.U. - SEE SKETCH SK-3
8. EXISTING CONCRETE RAMP TO REMAIN



WHOLE FOODS MARKET
5120 SOUTH RURAL ROAD
TEMPE, AZ. 85282

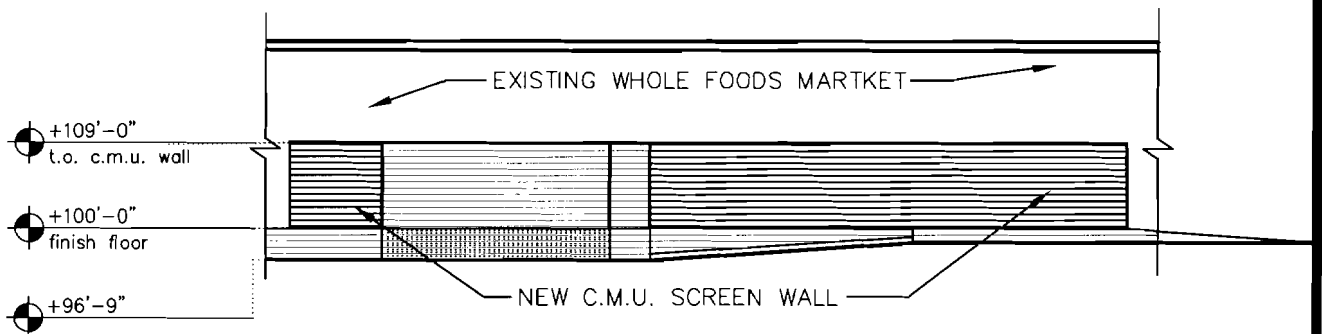
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SK-2

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NEW C.M.U. WALL ELEVATION

SCALE: 1" = 20'-0"



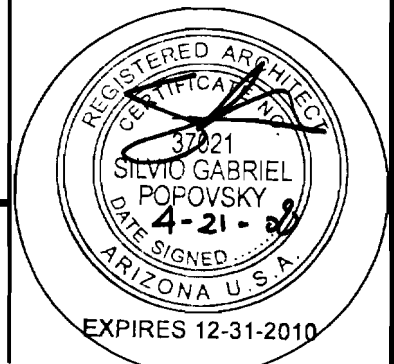
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SK-4

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COLLEGE PARK SHOPPING CENTER- WHOLE FOODS MARKET

5120 SOUTH RURAL ROAD

PL080145

VIEW FROM SOUTH



COLLEGE PARK SHOPPING CENTER- WHOLE FOODS MARKET

5120 SOUTH RURAL ROAD

PL080145

VIEW FROM NORTH